



INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

We make Indiana a cleaner, healthier place to live.

Frank O'Bannon
Governor

Lori F. Kaplan
Commissioner

August 21, 2003

100 North Senate Avenue
P. O. Box 6015
Indianapolis, Indiana 46206-6015
(317) 232-8603
(800) 451-6027
www.IN.gov/idem

TO: Interested Parties / Applicant

RE: Emtec Composites, Inc.
039-16347-00531
Chief, Permits Branch
Office of Air Quality

Notice of Decision: Section 112(j) Applicability Determination

Please be advised that on behalf of the Commissioner of the Department of Environmental Management, I have issued a decision regarding the enclosed matter. Pursuant to IC 4-21.5-3-5 (f) this order is effective fifteen (15) days after it is served. When served by U.S. mail, the order is effective three (3) calendar days from the mailing of this notice pursuant to IC 4-21.5-3-2(e).

If you wish to challenge this decision, IC 4-21.5-3-7 requires that you file a petition for administrative review. This petition may include a request for stay of effectiveness and must be submitted to the Office of Environmental Adjudication, ISTA Building, 150 W. Market Street, Suite 618, Indianapolis, IN 46204, **within (18) eighteen days of the mailing of this notice**. The filing of a petition for administrative review is complete on the earliest of the following dates that apply to the filing:

- (1) the date the document is delivered to the Office of Environmental Adjudication (OEA);
- (2) the date of the postmark on the envelope containing the document, if the document is mailed to OEA by U.S. mail; or
- (3) the date on which the document is deposited with a private carrier, as shown by receipt issued by the carrier, if the document is sent to the OEA by private carrier.

The petition must include facts demonstrating that you are either the applicant, a person aggrieved or adversely affected by the decision or otherwise entitled to review by law. Please identify the permit, decision, or other order for which you seek review by permit number, name of the applicant, location, date of this notice and all of the following:

- (1) the name and address of the person making the request;
- (2) the interest of the person making the request;
- (3) identification of any persons represented by the person making the request;
- (4) the reasons, with particularity, for the request;
- (5) the issues, with particularity, proposed for consideration at any hearing; and
- (6) identification of the terms and conditions which, in the judgment of the person making the request, would be appropriate in the case in question to satisfy the requirements of the law governing documents of the type issued by the Commissioner.

If you have technical questions regarding the enclosed documents, please contact the Office of Air Quality, Permits Branch at (317) 233-0178. Callers from within Indiana may call toll-free at 1-800-451-6027, ext. 3-0178.

Enclosure

112J DET.wpd 10/22/02



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Mr. Michael Gentzhorn
EMtec Composites
110 Windsor Avenue
Elkhart, IN 46514

61-50 DW

Re: Response to Review Request No. 16347:
Section 112(j) Applicability Determination
Plant ID: 039-00531

Dear Mr. Gentzhorn:

EMtec Composites, located at 110 Windsor Ave in Elkhart, Indiana, submitted a request for an applicability determination regarding the requirements of Section 112(j) of the Clean Air Act (CAA) on May 9, 2002. The letter was submitted in accordance with 40 CFR 63.52(d)(1) and requested that the Indiana Department of Environmental Management, Office of Air Quality (IDEM, OAQ) determine if EMtec Composites is subject to the requirements of Section 112(j) (40 CFR 63.50 through 63.56) for the Reinforced Plastic Composites Production source category.

Pursuant to 40 CFR 63.50, the requirements of Section 112(j) will apply only if your entire source is a major source of hazardous air pollutants (HAPs) and one or more of your processes or emissions units belong in a category or subcategory for which the United States Environmental Protection Agency (U.S. EPA) has failed to promulgate an emission standard on or before the Section 112(j) deadline.

The information submitted in the Part 1 MACT Application indicates that EMtec Composites is not a major source of HAPs. EMtec Composites has a Federally Enforceable State Operating Permit (FESOP), F039-12276-00531, issued on August 21, 2000, that includes a federally enforceable limit on the potential to emit HAPs to below the major source thresholds. Since EMtec Composites is not a major source of HAPs, the source does not meet both applicability criteria of 40 CFR 63.50; therefore, EMtec Composites is not subject to the requirements of Section 112(j). IDEM, OAQ is issuing this letter pursuant to 40 CFR 63.52(e)(2)(i) to notify EMtec Composites that the requirements of Section 112(j) do not apply and no further action is necessary.

This determination is based on the information provided by EMtec Composites, IDEM, OAQ records, and the information currently available from the U.S. EPA. Note that if additional equipment or capacity is added or operational practices are changed (e.g., switching solvents from a solvent that contains no HAPs to a solvent containing HAPs), the Section 112(j) requirements may be triggered in accordance with 40 CFR 63.52(b). If the events described in 40 CFR 63.52(b) occur at the source, EMtec Composites shall submit a Part 1 MACT Application in accordance with the requirements and schedule contained in 40 CFR 63.52(b).

Questions should be directed to Rebecca Mason, IDEM, OAQ, 100 North Senate Avenue, P.O. Box 6015, Indianapolis, Indiana, 46206-6015, or call (800) 451-6027, and ask for Rebecca Mason at

extension 3-9664, or dial (317) 233-9664.

Sincerely,

Original signed by
Paul Dubenetzky, Chief
Permits Branch
Office of Air Quality

RM

CC: File - Elkhart County
Elkhart County Health Department
Air Compliance – Paul Karkiewicz
Northern Regional Office
Administration Section
U.S. EPA Region V – Genevieve Damico

Mr. Jim Shafer
EMtec Composites
110 Windsor Avenue
Elkhart, IN 46514